Committee Minutes

Date: Febraury 12, 200
Time: 9:45 a.m.
Room: Room 104, LOB

The Senate Committee on Transportation held a hearing on the following:

SB 416 relative to motor vehicles operated in parades.

Members of Committee present: Senator Eaton
Senator Flanders
Senator Gordon

The Chair, Senator Thomas Eaton, opened the hearing on SB 416, by calling on Senator Hollingworth, the prime sponsor of the bill.

Senator Beverly A. Hollingworth, D. 23: Thank you. I am delighted to be with you this morning. This is one of the times when, being a Senator, you are called on by a constituent to bring in legislation that you are pleased to do. Mr. Nickapore, who is here today, is going to speak after me and tell you what brought this piece of legislation about. It is to have some kind of side rail on floats in parades so that we would prevent small children from falling off of the float.

I had a call this morning from some Senator who said he wanted to be on record in opposition to the bill before he had even heard it. He said that it would ruin the St. Parick's Day Parade. Well, I want to make sure that you are aware that the bill is not in effect until 2003, so it certainly isn't going to ruin the St. Patrick's Day Parade this year. I would think it would ruin the St. Patrick's Day Parade if some young child fell off and died in the situation where a child is run over by a vehicle. I think that would certainly ruin parades for a long time to come in New Hampshire. So, I hope you will support this favorably.

My granddaughter was in the same parade that Alex was. She is six years old and it never even occurred to me. I happened to be a judge in that parade and I went around and saw all the floats with hundreds of little kids on these floats. It never entered my mind how serious and how risky it was for those

children. So, I am glad Mr. Nickapore brought this to our attention and I hope it is something we can support and thank you very much for hearing me this morning.

Senator Thomas R. Eaton, D. 10: Any questions? Thank you. Mr. Nickapore?

Theodore Nickapore: I am Theodore Nickapore, for my son Alexi. December 1st he was in the Hampton parade, Christmas parade, a very nice day, about 70 degrees. What the Senator mentioned, I have seen children in parades for ages and the thought never entered my mind until something as serious as what happened to my son was going to occur.

Just about towards the end of the parade, at the judging station, it was when they were handing out the trophies for the parades. He was on one of the floats, which was essentially a flatbed trailer. Had a side rail built around it which was constructed of 2X4s but it was, in essence, only there to hold up a bunting on the side with some sort of holiday greeting, spirit of the holiday, God bless America in honor September 11.

The vehicle had come to a stop, it was being towed by a humvee, the sponsor of the float its ownership. My son was seated, as were all the children. There were probably about five or six children on board dressed as elves. He got up for a moment and suddenly slipped and fell, he didn't get right up. I was walking alongside the parade snapping photos, when I went up to see why he didn't get right up in the float. By the time I got to the side of the float, I saw the bunting of the side sort of fluff out and he fell to the ground, on the street, about two feet, face first. At which point, to my horror and the crowd's horror, the vehicle started moving. His head was probably about two feet away from the wheels. We estimated that the weight of this trailer at about 1,500 pounds, total weight. I had the good sense to lunge for him, grab him by the arms, as did another parade spectator. We grabbed him by the arms, attempted to pull him out of the way. We did get his body most of the way out, but not in time for his full body to come out. His legs were run over.

I don't know if you folks have children, but this is the only one I've got. I don't want to see that happen again, ever, to anybody. He didn't sustain any serious injuries. We didn't know at the time; we took him right to the emergency room. He went completely into shock, turned white. It was totally horrifying; the crowd was totally horrified; and it put a damper on the whole day. We didn't find out until we took him to a specialist a week later after taking him to the emergency room that there was no permanent damage, no serious damage. His leg was horribly bruised, he had abrasions

on his body from the fall, and he has suffered no permanent damage from this.

I would like to see something simple and basic as some sort of railing surround where it involves children on these vehicles so that they cannot pass over or through and have this repeated. This is in the name of safety and the interest of safety of children of the State of New Hampshire.

I have his pants here if you folks want to have a look at it. There is a permanent tire imprint from the weight of the trailer. He had a lollypop in his pocket, which is now dust. That is an illustration of the weight.

If you folks find it prudent to approve this amendment to this bill, I will push it to the limit no matter where I have to go. I am totally in favor of this. Like I say, it is going to be low cost, it is just a safety addition that I think has been overlooked, and not really paid attention to and it should be, in light of this. Sort of like one of those deals where you lock the barn door after the horse got out, essentially. It took an action like this to peak people's interest in it. That is all I've got today.

Senator Thomas R. Eaton, D. 10: Any questions? Thank you. Anyone else wishing to speak on SB416?

Senator Edward M. Gordon, D. 2: Senator Hollingworth, are you aware of any other incidents that, since you have been doing the bill, maybe somebody has talked to you, incidents of parade entrants, instances that are similar to that?

Senator Beverly A. Hollingworth, D. 23: No. I'm sorry. But, I am sure there are thousands of young kids on floats. Just because it hasn't happened before, stop it before it happens again.

Senator Edward M. Gordon, D. 2: The only reason I have an interest in it, as you may recall, I had previously worked on this particular legislation that passed when we did have restraints and it was interpreted, and the Girl Scouts came forth and said given people are acting responsibly in a parade, they didn't want to have restraints.

Senator Beverly A. Hollingworth, D. 23: Well, this really isn't a restraint. What it is is some kind of railing around the side. I think that is a little bit different, just as something to protect our children. What would we ever do in New Hampshire if we had a serious death caused by a fun time at the Christmas Parade or St. Patrick's Day Parade?

Senator Robert B. Flanders, D. 7: Mr. Chairman, just a general question. I believe this says to reasonably prevent a small child. Should there be an age on here or something? So that if somebody wants to put a float in a parade and they've got teenagers or they have adults, they don't have to do this? What is a small child? What is the age of a small child? He could be ten years old and be small. The bill says small child.

Senator Beverly A. Hollingworth, D. 23: Understanding that if it was someone a little bit older, they might be more careful in an area where there might be a danger of falling off. You could add an amendment if it would assist you.

Senator Thomas R. Eaton, D. 10: We can discuss that one also. Thank you very much. I will close the hearing on SB416.

Respectfully submitted,

L. Gail Brown
Senate Secretary

Speakers

SENATE TRANSPORTATION COMMITTEE

Date 2/12/02 Time 9:45 am Public Hearing On SB 416

Appearing in FAVOR: *(Please print)* *Please check box at left to speak.*

Speaking?	*Name*	*Address*	*Representing*
☑	Sen. Beverly Hollingsworth		
☐	Mr.	Nickapoo	
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Appearing in OPPOSITION: *(Please Print)* *Please check box at left to speak.*

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Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date:

THE COMMITTEE ON Transportation

to which was referred Senate Bill 416

AN ACT relative to motor vehicles operated in parades.

VOTE: 5-0

Having considered the same, report the same with the following resolution:
Resolved, that it is: **INEXPEDIENT TO LEGISLATE.**

Senator Thomas R. Eaton
For the Committee

|SB416 Docket

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Bill Title: relative to motor vehicles operated in parades.

Date	Body	Description
1/31/2002	S	Introduced and Ref. to Transportation; SJ 4, Pg.75
2/7/2002	S	Hearing; February 12, 2002, Room 104, LOB, 9:45 a.m.; SC10
2/19/2002	S	Committee Report; Inexpedient to Legislate, [02/20/02]; SC12A
2/20/2002	S	Inexpedient to Legislate, MA, VV === KILLED ===; SJ 6, Pg.157

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Docket Abbreviations